

R E M A R K S

Claims 1, 4, 7, 8 and 11-18 are pending in this application. Claims 2, 3, 5, 6, 9 and 10 have been canceled. Claims 11-18 have been added.

The Examiner rejected claims 1 and 6-8 under 35 U.S.C. 103(a) as unpatentable over Mori of record and optionally in view of Tsukada and Takehara newly cited

The Mori reference suggests a greater than 1 mm vent groove. Although the reference fails to expressly describe the claimed range of 5 to 10 mm for the width of the vent groove, the Examiner asserts that one of ordinary skill in the art would have found it obvious to view the "greater than 1 mm" as indicating the range of 5 to 10 mm as now claimed. Indeed, Mori seems to suggest a spacing or vent groove with greater than 1 mm. However, the claims in the present application define a range, which in the specification at page 7, 7 lines from the bottom, are an indication of the criticality of the range of the values for the width 7W. Greater values than 10 mm being either unattractive or contributing to a decrease in strength of the sidewall portion, the Mori reference hardly suggests the specific range for the width 7W as claimed in the amended claim 1 or even in the new claims 11 and 12. In the amended claim 1 as set forth herein, the limitations of claim 4 are incorporated into the amended claim 1 whereas in the new claims 11

and 12, the limitations of claim 4 are absent, but the preferred ranges of the vent groove and the vent groove depth as well as vent groove width are set forth in accordance with the disclosure of the specification at page 7 in the last full paragraph thereof.

The rejection of claim 6 is moot in view of the amendments and the cancellation of claim 6. Likewise, the rejection of claims 7 and 8 over Mori and optionally in view of Takehara and Tsukada is also respectfully traversed. In view of the disclosure of the specification at page 7, as indicated above, the "greater than 1mm" range for the width does not show an upper level or a lower level for this variant. The range of 5 to 10 mm is not included in "greater than 1 mm" as the text of the specification on page 7 as indicated above shows that there are values that are "greater than 1 mm", which are not operable or desirable and which one of ordinary skill in the art would not recognize from "greater than 1 mm". For similar reasons, the combination of references including Endo, does not support the rejection of claim 4, which is cancelled and moot.

Amended claim 1, as now set forth is based upon the specification at page 7, lines 5-10 in respect of the limitation of the vent groove adjoining the radially outside of the vent emboss line, wherein a radial distance of the vent emboss line from the radially outer end of the bead apex is in a range from

+3 mm to -10 mm. Also, in the limitation inserted in claim 1, wherein the radially inside the maximum tire section width point towards the bead portion to a position (c), wherein the position (b) is at a radial height (Hb) in a range of from 85 to 98% of the radial height (H) of the maximum tire section width point and the position (c) is at a radial height (Hc) in a range of from 30 to 50% of said radial height (H) is based upon the specification at page 5, line 2 from below to page 6, line 4. Thus, the amended claim 1 is fairly based upon the specification and the disclosure of the invention and does not involve addition of new matter.

New claim 11 is based upon the specification at page 4, lines 14-16, while in claim 11 bases exist in the specification at page 4, lines 17-21.

New claim 13 is based upon the specification at page 4, lines 22-26.

In similar fashion, claims 14-18 are fairly based upon the specification as indicated above.

On page 6 of the outstanding Office Action, in the paragraph which spans page 6 and 7, the Examiner has set forth the essential features of the invention and none of the art references, including the primary reference, Mori, define a tire with a vent groove between 5 and 10 mm, a vent groove depth

between 0.15 and 0.5 mm and a protruding height from the straight profile between 0.3 and 2.5 mm. As indicated above, "greater than 1 mm" of the vent groove width includes inoperable or undesirable features in a tire having a greater than 1 mm, but outside the claimed range of 5 to 10 mm for the vent groove width as is the limitation in the amended claim 1. For this reason, the combination of references does not render the invention obvious or anticipate the invention.

In view of the foregoing amendments and remarks, reconsideration of the final rejection of the present application is respectfully solicited.

Pursuant to the provisions of 37 C.F.R. §§ 1.17 and 1.136(a), the Applicant petitioned for an extension of three months to February 14, 2004 for the period in which to file a response to the Office Action dated August 14, 2003 in the concurrently filed Notice of Appeal. The required fee has been paid in connection with the proper filing of this Notice of Appeal.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Edward H. Valance (Reg. No. 19,896) at the telephone number of the undersigned below.

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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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